

Consideration of the special order of the day was resumed.
Mr. Myers moved that Senate bill No. 53 remain on its second reading and be passed informally;
Which was agreed to, and so ordered.

By permission, Mr. McKinne introduced Senate bill No. 110:

To be entitled an act in relation to landlord and other liens.

Mr. McKinne moved that the rules be waived, and that Senate bill No. 110 be read first time by its title, and that 100 copies of the same be printed;

Which was agreed to by a two-thirds vote and so ordered.

Mr. Rogers moved that the Senate adjourn until 10 o'clock Friday morning, April 24, 1891;

Which motion was agreed to, and the Senate adjourned until that time.

—o—

FRIDAY, April 24, 1891.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Baya, Borden, Bristol, Brett, Broome, Bryant, Calhoun, Coulter, Crosby, Drake, Farmer, Hammond, Hardee, Johnson, King, Kirk, McKinne, Myers, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—32.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

On motion of Mr. Hardee, Capt. Jos. Smith of Titusville, was invited to a seat on the floor of the Senate.

INTRODUCTION OF RESOLUTIONS.

By Mr. Calhoun:

Senate Concurrent Resolution No. 20:

Relative to the investigation of the Indian war claims,

Was read the first time as follows:

Be it Resolved by the Senate, the House concurring, That the special committee appointed to investigate the origin and

condition of the Indian war claims of the State of Florida and the action of the Congress and our Representatives and Senators therein, and be empowered to employ such clerical and stenographic aid in making this investigation as they may from time to time deem necessary.

Mr. Calhoun moved that the rules be waived and that the resolution be read second time and adopted;

Which was agreed to by a two-thirds vote and the resolution was read second time and adopted.

Mr. Calhoun moved that the rules be further waived and that the resolution be immediately certified to the House;

Which was agreed to by a two-thirds vote and Senate Concurrent Resolution No. 20 ordered certified to the House at once.

INTRODUCTION OF BILLS.

By Mr. Coulter:

Senate bill No. 111:

To be entitled an act to make it a misdemeanor to handle fire arms in certain ways, and for the better protection of human life.

Mr. Coulter moved that the rules be waived, and that Senate bill No. 111 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill No. 111 was read first time by its title and referred to the Committee on Judiciary.

By Mr. King:

Senate bill No. 112:

To be entitled an act to prevent the catching of fish by means of poisons or by use of explosive substances;

Which was read first time in full and referred to the Committee on Judiciary.

Mr. King moved that the rules be waived, and that Senate bill No. 112 be read second time;

Which was agreed to by a two-thirds vote, and Senate bill No. 112 was read second time in full.

Mr. Coulter moved that section 4 of the bill be stricken out; Which was agreed to, and section 4 of Senate bill No. 112 was stricken out.

The bill was ordered engrossed for its third reading.

By Mr. McKinne:

Senate bill No. 113:

To be entitled an act to prevent the enticing from their employers any minors or other persons under contract in this State.

Mr. McKinne moved that the rules be waived, and that Senate bill No. 113 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill No. 113 was read first time by its title and referred to the Committee on Judiciary.

By Mr. Bristol:

Senate bill No. 114:

To be entitled an act to establish the fees of county treasurers in the several counties of this State.

Mr. Bristol moved that the rules be waived, and that Senate bill No. 114 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill No. 114 was read first time by its title and referred to the Committee on City and County Organization.

By Mr. Bryant:

Senate bill No. 115:

To be entitled an act for the relief of Francis F. Beville, ex-treasurer for the county of Polk and State of Florida.

Mr. Bryant moved that the rules be waived and that Senate bill No. 115 be read first time by its title;

Which was agreed to by a two-thirds vote and Senate bill No. 115 was read first time by its title and referred to the Committee on Claims.

By Mr. Thomas:

Senate bill No. 116:

To be entitled an act to amend certain sections and repeal others of an act entitled an act to be entitled an act to establish a uniform system of common schools and county high schools.

Mr. Thomas moved that the rules be waived, and that Senate bill No. 116 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill No. 116 was read first time by its title and referred to the Committee on Education.

Pending the introduction of bills—

Mr. Borden moved that the Senate recur to the head of Introduction of Resolutions;

Which was agreed to.

Mr. Borden offered the following resolution:

Resolved, That the Judiciary Committee of the Senate be, and are hereby requested to inquire and report whether or not there is any legal method to pay officers for services rendered under the criminal laws of this State, where the case has been placed on the absentee docket, and the defendant has not been discharged, or convicted and found to be legally

insolvent, and whether some provision should not be made to provide for such cases.

Mr. Wall asked consent to refer petitions received from Munroe county, effecting Senate bill No. 105, which had been referred to the Committee on Judiciary, to the same committee;

Which request was granted and the petitions were referred to the Committee on Judiciary.

By permission, Mr. Wolfe introduced—

Senate bill No. 117:

To be entitled an act to require conditional sales of personal property in this State to be recorded.

Mr. Wolfe moved that the rules be waived, and that Senate bill No. 117 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill No. 117 was read first time by its title and referred to the Committee on Judiciary.

By permission, Mr. Calhoun introduced—

Senate bill No. 118:

To be entitled an act to confer upon the Georgia Southern and Florida Railroad Company, a corporation existing under the laws of Georgia, certain powers, rights and privileges.

Mr. Calhoun moved that the rules be waived and that Senate bill No. 118 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill No. 118 was read first time by its title and referred to the Committee on Railroads and Telegraphs.

CONSIDERATION OF RESOLUTIONS.

Senate Resolution No. 21:

A resolution of inquiry,

Was read second time in full.

Mr. Borden moved that the resolution be adopted and referred to the Committee on Judiciary;

Which was agreed to and so referred.

REPORTS OF COMMITTEES.

Mr. Coulter, Chairman of the Committee on Fisheries, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 24, 1891. }

HON. J. B. BROWNE,

President of the Senate :

SIR—Your Committee on Fisheries, to whom was referred—

Senate bill No. 100 :

In regard to catching terrapins in the waters of Florida,

Have had the same under consideration and recommend that it do pass.

Very respectfully,

W. R. COULTER,
Chairman of Committee.

Mr. Wolfe, Chairman of the Committee on Railroads and Telegraphs, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, FLA., April 24, 1891. }

HON. J. B. BROWNE,

President of the Senate :

SIR—Your Committee on Railroads and Telegraphs, to whom was referred—

Senate bill No. 101 :

A bill to be entitled an act to incorporate the Manatee River Telephone and Telegraph Company,

Beg leave to report that they have had the same under consideration and recommend that it do pass.

Very respectfully,

J. EMMET WOLFE,
Chairman of Committee.

Mr. Summers, Chairman of the Committee on City and County Organization, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, FLA., April 24, 1891. }

HON. J. B. BROWNE,

President of the Senate :

SIR—Your Committee on City and County Organizations, to whom was referred—

Senate bill No. 68 :

A bill to be entitled an act to repeal Chapter 3851.

Also,

Senate bill No. 107 :

A bill entitled an act to authorize the County Commissioners of the several counties of this State to provide for the construction and maintenance of public roads and bridges in the counties of the State of Florida,

Beg leave to report that they have considered the same and respectfully recommend that they be referred to the Joint Committee on Public Roads and Highways.

Very respectfully,

O. J. H. SUMMERS,
Chairman of Committee.

Also the following :

SENATE CHAMBER,
TALLAHASSEE, FLA., April 24, 1891. }

HON. J. B. BROWNE,

President of the Senate :

SIR—Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 79 :

A bill to be entitled an act to revoke and abolish the present municipal government of the town of Sanford, Orange County, Florida, and to organize a city government for the same, pursuant to this act,

Beg leave to report that they have had the same under consideration, and recommend that it do pass, with the following amendments :

Section 1, Article 3, after "\$900" insert "per annum," also strike out the last paragraph of section 1, Article 3. Article 4, section 8, line 4, after the word "purposes" insert "at a rate of interest not to exceed ten per centum per annum."

Article 4, section 8, line 12, after the word "laws" insert "not in conflict with the laws of the State of Florida, or the rules and regulations of the State Board of Health."

Page 9, line 3, after the word "State" insert "Provided, That no license to retail liquor be granted by said city to any person or persons who have not first obtained a license from the State and county."

Page 9, line 17, after "etc." strike out "to establish standard weights and measures to be used in the city," and insert in lieu thereof "to appoint a sealer of standard weights and measures to be used in the city."

Page 13, section 13, line 4, after the word "thereon" insert "shall not exceed six per centum per annum."

Page 16, section 21, at the end of the section add "Pro-

vided, That at least six months shall intervene between such elections."

Very respectfully,

O. J. H. SUMMERS,
Chairman of Committee.

UNFINISHED BUSINESS.

The consideration of—

Senate bill No. 53:

To be entitled an act to fix the rate of interest;

Which was on its second reading at the adjournment of the Senate on yesterday was resumed—

The amendment of Mr. Rogers to the amendment of Mr. Myers, to-wit:

Strike out the proviso in lines 6 and 7 in the amendment.

Pending which—

Mr. Rogers asked and was granted unanimous leave to temporarily withdraw his amendment to the amendment, to-wit:

Strike out the proviso in lines 6 and 7 in the amendment.

Mr. Yancey offered the following amendment to the amendment offered by Mr. Myers:

Amend the amendment of Senator Myers by striking out all after the word annum in line 6 of section 1.

Also add the following section:

Be it further enacted that any person or persons, firm or corporation who shall, upon any future contract whatsoever, take or receive, directly or indirectly, for the loan of any money, or the advancing of any goods, merchandise or supplies, more than ten per centum per annum on the dollar, by deducting the interest when the loan or contract is made, or by any other shift or device to evade the provisions of this act, shall forfeit both the principal and interest of said claim and said contract shall be void.

Pending consideration of which—

Mr. Myers moved that the amendment to the amendment be divided, as it proposed two questions.

Which was agreed to and so ordered.

And the first proposition contained in the amendment to the amendment, to-wit:

Amend the amendment of Senator Myers by striking out all after the word "annum" in line 6 of section 1,

Was put to a vote and agreed to.

The second proposition contained in the amendment to the amendment was temporarily withdrawn by Mr. Yancey.

Mr. Calhoun offered the following amendment to the amendment offered by Mr. Myers:

In section 1, lines 5, 6 and 7, after the word interest, in line 5, strike out all that follows in said section and insert "shall forfeit all the interest contracted for,"

And moved its adoption.

Which was agreed to and the amendment to the amendment of Mr. Myers was adopted.

Mr. Baya offered the following amendment to the amendment offered by Mr. Myers:

In section 1, line 3, after the word advancing insert the words "or sale,"

And moved its adoption.

Pending consideration of which—

Mr. Borden moved that Senate bill No. 53 be recommitted to the Committee on Finance and Taxation with all its adopted and proposed amendments;

Which was agreed to and the bill was ordered recommitted.

A committee from the House of Representatives appeared at the bar of the Senate and notified the Senate that the House was ready to receive them in joint session.

The committee thereupon retired.

The President announced that the hour of 12 M. had arrived and the Senate would now proceed to the House of Representatives' hall.

The Senate thereupon marched in a body to the hall of the House of Representatives and was received by the House.

TWELVE O'CLOCK M.

JOINT SESSION, April 24, 1891.

At 12 o'clock the Senate entered the hall of the House of Representatives and was received by the House.

President Browne in the chair.

The President ordered the Secretary of the Senate to call the roll of the Senate.

Upon call of the roll the following Senators answered to their names:

Mr. President, Messrs. Baya, Borden, Bristol, Brett, Broome, Bryant, Calhoun, Coulter, Crosby, Farmer, Hammond, Hardee, Johnson, King, Kirk, McKinne, Myers, Pirrong, Rogers,

Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—31.

A quorum present.

By request of the President, the Speaker of the House ordered the roll of the House called.

Upon call of the roll the following members answered to their names:

Mr. Speaker, Messrs. Atkinson, Baker, Baltzell, Bates, Berry, Bethel, Beville, Blich of Marion, Blich of Levy, Bogue, Brown, Buford, Burford, Canty, Carleton, Carter, Carson, Clark, Coulter, Dimick, Dougherty, Dykes, Haddock, Hicks, High, Hocker, Hutchinson, Jenkins, Johns, Langford, Lavender, Mann of Baker, Mann of Hernando, Mays, McCaskill, McRae, McSwain, Monroe, Morgan, Morris, Overstreet, Parker, Peacock, Pittman, Priest, Richbourg, Robertson, Rye, Saulsbury, Shine, Sparkman, Stapler, Summerlin, Thompson, Trammell, Turnbull, Usina, Vann, Vaughn, Whitehurst, Whitner, Wilson, and Young.

A quorum present.

Mr. Blich of Levy, moved that the reading of the Journal of the joint session held April 23, 1891, be dispensed with; Which was agreed to and so ordered.

Mr. Bryant moved that the joint session proceed to vote for a United States Senator;

Which was agreed to, and so ordered.

The vote of the Senate was:

For Mr. Call—Messrs. Bryant, Calhoun, Coulter, Crosby, Smith of 30th, Swearingen, Thomas, Wadsworth and Yancey.—9.

For Mr. Speer—Messrs. Borden, Bristol, Johnson, Kirk and Rogers—5.

For T. A. LaFar—Mr. President, Messrs. Summers and Wall—3.

For J. Ball—Mr. Brett—1.

For F. T. Myers—Mr. Broome—1.

For Ziba King—Mr. Farmer—1.

For T. J. Appleyard—Mr. Hammond—1.

For J. F. Baya—Mr. Hardee—1.

For John B. Broome—Mr. King—1.

For J. B. Wall—Mr. McKinne—1.

For Jas. E. Broome—Messrs. Baya and Myers—2.

For John K. Jones—Mr. Pirrong—1.

For Minor S. Jones—Mr. Rosborough—1.

For Tom Costa—Mr. Wilkinson—1.

For Blank—Mr. Smith of 31st—1.

For S. R. Mallory—Mr. Wolfe—1.

The vote of the House was:

For Mr. Call—Messrs. Gaskins, Bates, Berry, Brown, Carson, Dykes, Johns, Langford, Mann of Baker, McCaskill, Morgan, Overstreet, Peacock, Pittman, Priest, Stapler, Summerlin, Thompson, Vann and Young—20.

For Mr. Speer—Messrs. Baker, Beville, Blich of Marion, Hocker, Jenkins, McRae, McSwain, Morris, Shine and Whitner—10.

For Dr. LaFar—Messrs. Buford, Dimick and Usina—3.

For W. O. Jeffreys—Mr. Baltzell—1.

For John Collins—Mr. Bethel—1.

For Ben Hopkins—Messrs. Bogue, Parker and Sparkman—3.

For Bill Smith—Messrs. Burford, Carter and Mays—3.

For J. E. Broome—Mr. Canty—1.

For H. B. O'Neill—Mr. Carleton—1.

For Ziba King—Mr. Clark—1.

For Nick Barco—Messrs. Dougherty, High, Lavender and Mann of Hernando—4.

For Dr. Hull—Messrs. Haddock and Hicks—2.

For J. W. Bryant—1.

For R. S. Saulsbury—Mr. Hutchinson—1.

For W. N. Tunno—Mr. Monroe—1.

For C. H. Bird—Mr. Richbourg—1.

For Blank—Messrs. Rye and Turnbull—2.

For M. H. Mabry—Mr. Trammell—1.

For John Doe—Mr. Vaughn—1.

For John Smith—Messrs. Blich of Levy, and Whitehurst—2.

For W. A. Hocker—Mr. Wilson—1.

For Bill Norwood—Mr. Robinson—1.

For W. B. Lamar—Mr. Atkinson—1.

For B. T. Calhoun—Mr. Saulsbury—1.

The Secretary announced that the total number of votes cast for United States Senator was 92.

Of which—

Mr. Call received 29 votes.

Mr. Speer received 15 votes.

Mr. LaFar received 6 votes.

Nick Barco received 4 votes.

James E. Broome received 3 votes.

Bill Smith received 3 votes.

Ben Hopkins received 3 votes.

Ziba King received 2 votes.

Julius Ball received 1 vote.

F. T. Myers received 1 vote.
 T. J. Appleyard received 1 vote.
 J. F. Baya received 1 vote.
 John D. Broome received 1 vote.
 J. B. Wall received 1 vote.
 Jno. K. Jones received 1 vote.
 Minor S. Jones received 1 vote.
 Tom Costa received 1 vote.
 S. R. Mallory received 1 vote.
 Blank received 3 votes.
 Hocker received 1 vote.
 John Doe received 1 vote.
 M. H. Mabry received 1 vote.
 Bill Norwood received 1 vote.
 Tunno received 1 vote.
 Jno. Brant received 1 vote.
 Saulsbury received 1 vote.
 Dr. O. P. Hull received 1 vote.
 John Collins received 1 vote.
 W. B. Lamar received 1 vote.
 W. O. Jeffreys received 1 vote.
 J. O'Neil received 1 vote.
 Calhoun received 1 vote.
 C. H. Berg 1 vote.
 The President declared there was no election.
 Mr. Yancey moved that the joint session adjourn until 12 o'clock to-morrow;
 Which was agreed to.
 Whereupon the Senate withdrew to its chamber.
 At 12:32 P. M. the Senate resumed its session.

12:32 O'CLOCK.

The Senate met.

The President in the chair.

The roll was called, and the following Senators answered to their names:

Mr. President, Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Farmer, Hardee, Johnson, Kirk, McKinne, Myers, Rogers, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—27.

Senator Rosborough, at his own request, was excused until Tuesday morning.

On motion of Mr. Pirrong, Senator McKinne was excused until Tuesday morning.

ENROLLED.

Act to empower the Governor, Treasurer and Comptroller to borrow money for State purposes.

Also,

An act to supply deficiencies in the appropriations for the years 1889 and 1890,

Were signed by Hon. Jeff. B. Browne, President, and C. A. Finley, Secretary of the Senate, and the same returned to Mr. Borden, Chairman of the Joint Committee on Enrolled Bills, for presentation to the Governor for his signature.

By permission, Mr. Rosborough introduced—

Senate bill No. 119:

To be entitled an act to prescribe the conditions under which a certain class of firearms may be carried, to provide a license for the same and for other purposes.

Mr. Rosborough moved that the rules be waived and that Senate bill No. 119 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill No. 119 was read first time by its title and referred to the Committee on Judiciary.

Mr. Wolfe moved that the Senate do now go into executive session;

Which motion was agreed to and at 12:45 P. M. the Senate was cleared and the doors closed.

At 1:08 P. M. the doors were opened and the consideration of bills on their second reading was resumed.

Mr. Calhoun moved that the rules be waived, and that the Senate recur to the consideration of bills on their second reading;

Which was agreed to and so ordered.

Mr. Calhoun moved that the rules be waived, and that—

House bill No. 133:

To be entitled an act relating to the issuing of subpoenas and other process in causes where the State of Florida is a party, Be taken from its regular order and read third time;

Which was agreed to by a two-thirds vote, and House bill No. 133 was taken from its regular order and read in full third time.

House bill No. 133:

To be entitled an act relating to the issuing of subpoenas and other process in causes where the State of Florida is a party,

Was read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Farmer, Hardee, Johnson, King, Kirk, Myers, Pirring, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wilkinson, Wolfe and Yancey—25.

Nays—None.

So the bill passed, title as stated, and the rules were waived and House bill No. 133 was ordered certified to the House of Representatives immediately.

Mr. Myers moved that—

Senate bill No. 35:

To be entitled an act to amend an act entitled an act to prescribe the fees that the several sheriffs in this State shall be allowed to charge and receive for services rendered in the performance of the duties of their offices, being Chapter 3860, of the Laws of Florida, for the year 1889,

Be put back on its second reading from its position on calendar on third reading;

Which was agreed to, and so ordered.

Mr. Calhoun moved that Senate bill No. 35 be recommitted to the Committee on Judiciary;

Which was agreed to, and the bill was so recommitted.

Mr. Summers moved that the Senate adjourn until 10 o'clock Saturday morning, April 25, 1891;

Which motion was agreed to, and the Senate adjourned until that time.

CONFIRMATIONS.

E. W. Menefee, to be Commissioner, District No. 15.

J. M. Pfeifer, to be Commissioner, District No. 13.

Ed Gale Quina, to be Commissioner, District No. 13.

David Tobin, to be Commissioner, District No. 14, for the provisional Municipality of Pensacola, Florida.

J. Fred. Lohman, to be Harbor Master.

Thos. Kydd, to be Pilot Commissioner.

I. A. Mode, to be Pilot Commissioner for the Port of Fernandina, Nassau county, Florida.

SATURDAY, April 25, 1891.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Baya, Borden, Bristol, Broome, Bryant, Coulter, Crosby, Drake, Farmer, Hammond, Hardee, Johnson, King, Kirk, Pirrong, Rogers, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wilkinson, Wolfe and Yancey—25.

A quorum present.

Prayer by the Chaplain.

The Journal was approved.

On motion of Mr. Smith, Senator Myers was excused from roll call.

On motion of Mr. Yancey, Senator Calhoun was excused for the day on account of sickness in his family.

INTRODUCTION OF BILLS.

By Mr. Wolfe:

Senate bill No. 120:

To be entitled an act to regulate sailor boarding house keepers and the shipping of sailors.

Mr. Wolfe moved that the rules be waived and that Senate bill No. 120 be read first time by its title;

Which was agreed to by a two-thirds vote and Senate bill 120 was read first time by its title and referred to the Committee on Commerce and Navigation.

By Mr. Wilkinson:

Senate bill No. 121:

To be entitled an act making appropriations to carry into effect the provisions of section 5, Chapter 3855, Laws of Florida.

Mr. Wilkinson moved that the rules be waived and that Senate bill No. 121 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill 121 was read first time by its title and referred to the Committee on Appropriations.

By Mr. Pirrong:

Senate bill No. 122:

To be entitled an act to enforce the payment of taxes by bankers and brokers.